

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DOUGLAS BRYAN HOUSE,

Petitioner,

vs.

BRAD JOHNSON,

Respondent.

**4:18CV3172**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Petitioner Douglas Bryan House's Motion for Leave to Proceed in Forma Pauperis ([filing no. 2](#)) and motions to amend Exhibits 21 and 22 to the habeas petition ([filing no. 5](#); [filing no. 7](#); [filing no. 8](#); [filing no. 9](#)).

Petitioner filed a Petition for Writ of Habeas Corpus ([filing no. 1](#)) on December 31, 2018 and seeks to proceed in forma pauperis ([filing no. 2](#)). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. 28 U.S.C. § 1914(a). However, after considering Petitioner's financial status as shown in the records of this court (*see* inmate trust account statement at [filing no. 6](#)), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* 28 U.S.C. § 1915(a)(1).

In addition to his petition, Petitioner has filed two motions to amend,<sup>1</sup> which essentially ask the court to consider Petitioner's attached Exhibits 21 and 22 along with his habeas petition. Upon consideration, the court will grant Petitioner's motion and consider Exhibits 21 and 22 as supplemental to his habeas petition. *See* NECivR [15.1](#).

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<sup>1</sup> Petitioner's motion to amend Exhibit 21 consists of three parts which have been docketed as three motions in CM/ECF.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion for Leave to Proceed in Forma Pauperis ([filing no. 2](#)) is granted.
2. Petitioner's motions to amend Exhibit 21 and Exhibit 22 to the habeas petition ([filing no. 5](#); [filing no. 7](#); [filing no. 8](#); [filing no. 9](#)) are granted. The court will consider Exhibits 21 and 22 as supplemental to the habeas petition.
3. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

Dated this 7th day of January, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge